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# MINUTES

OF THE

# CONVENTION

OF THE

# STATE OF NEW-JERSEY,

HOLDEN AT TRENTON THE 11th DAY OF DECEMBER 1787.

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TRENTON:
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DUPLICATE

A LIST of the Members of the State Convention, elected pursuant to a Resolution of the Legislature of this State, passed at Trenton, October 29, 1787.

| | | |
|---|---|---|
| Bergen, | John Fell,<br>Peter Zabriskie,<br>Cornelius Hennion, | Esquires. |
| Essex, | John Chetwood,<br>Samuel Hay,<br>David Crane, | |
| Middlesex, | John Neilson,<br>John Beatty,<br>Benjamin Manning, | |
| Monmouth, | Elisha Lawrence,<br>Samuel Breese,<br>William Crawford, | |
| Somerset, | John Witherspoon,<br>Jacob R. Hardenbergh,<br>Frederick Frelinghuysen, | |
| Burlington, | Thomas Reynolds,<br>George Anderson,<br>Joshua M. Wallace, | |
| Gloucester, | Richard Howell,<br>Andrew Hunter,<br>Benjamin Whitall, | |
| Salem, | Whitten Cripps,<br>Edmund Wetherby,<br>* Samuel Dick, | |
| Cape-May, | Jesse Hand,<br>Jeremiah Eldredge,<br>Matthew Whillden, | |
| Hunterdon, | John Stevens,<br>Hon. David Brearley,<br>Joshua Corshon, | |
| Morris, | William Windes,<br>William Woodhull,<br>John J. Faesch, | |
| Cumberland, | David Potter,<br>Jonathan Bowen,<br>Eli Elmer, | |
| Sussex, | Robert Ogden,<br>Thomas Anderson,<br>Robert Hoops, | |

* This Member did not attend.

# MINUTES

OF THE

# CONVENTION

OF THE

# STATE OF NEW-JERSEY.

## *TRENTON, Tuesday, December* 11, 1787.

JOHN FELL, Peter Zabriskie, Cornelius Hennion, John Neilson, John Beatty, Benjamin Manning, Samuel Breese, William Crawford, John Witherspoon, Jacob R. Hardenbergh, Frederick Frelinghuysen, Thomas Reynolds, George Anderson, Joshua M. Wallace, Richard Howell, Andrew Hunter, Benjamin Whitall, Jesse Hand, Jeremiah Eldredge, Matthew Whillden, John Stevens, David Brearley, Joshua Corshon, William Windes, William Woodhull, John J. Faesch, David Potter, Jonathan Bowen, Eli Elmer, Robert Ogden and Thomas Anderson, being assembled in Pursuance of the Resolution of the Legislature of this State, unanimously passed at Trenton, October 29, 1787, they proceeded to appoint Mr. Beatty, Mr. Frelinghuysen and Mr. Hand, a Committee to receive and examine the Certificates

Certificates of the Election of the Members of this Convention, and to report on the same.

Adjourned till To-morrow Morning ten o'Clock.

## *Wednesday, December* 12, 1787.

The Convention met pursuant to Adjournment.

Present as before, together with John Chetwood, Samuel Hay and David Crane, Delegates from the County of Essex, Whitten Cripps and Edmund Wetherby, two of the Delegates from the County of Salem, and Robert Hoops, one of the Delegates from the County of Sussex.

Mr. Beatty, from the Committee, reported, that the following Persons, viz. John Fell, Peter Zabriskie, Cornelius Hennion, John Chetwood, Samuel Hay, David Crane, John Neilson, John Beatty, Benjamin Manning, Samuel Breese, William Crawford, John Witherspoon, Jacob R. Hardenbergh, Frederick Frelinghuysen, Thomas Reynolds, George Anderson, Joshua M. Wallace, Richard Howell, Andrew Hunter, Benjamin Whitall, Whitten Cripps, Edmund Wetherby, Jesse Hand, Jeremiah Eldredge, Matthew Whillden, John Stevens, David Brearley, Joshua Corshon, William Windes, William Woodhull, John J. Faesch, David Potter, Jonathan Bowen, Eli Elmer, Robert Ogden, Thomas Anderson and Robert Hoops, have been duly elected agreeably to the Resolution of the Legislature, passed on the 29th of October last.

To which Report the Convention agreed.

Elisha Lawrence, one of the Delegates from the County of Monmouth, produced a Certificate of his being duly elected; which being read and approved, he took his Seat in Convention.

The Convention proceeded to the Choice of a President, by Ballot, when the Honourable John Stevens, Esquire, was elected.

The Convention then proceeded to the Choice of a Secretary, also by Ballot, when Samuel-Witham Stockton, Esquire, was elected.

William Rogers was appointed Doorkeeper. Mr.

Mr. Brearly, Mr. Hardenbergh and Mr. Neilson, were appointed a Committee to draw up and report Rules for the Government of this Convention during their Sitting.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Thursday, December* 13, 1787.

The Convention met agreeably to Adjournment.
Present as before.

On Motion,

*Resolved*, That the Rev. Mr. Armstrong be requested to open the Business of the Convention every Morning during their Sitting with Prayers.

The Committee appointed Yesterday, to form Rules for the Government of this Convention, made their Report; which, being considered and amended, was agreed to as follows:

RULES for conducting Business in the Convention of New Jersey.

I. THE Convention shall be opened every Morning with Prayers.

II. When the President assumes the Chair, the Members shall take their Seats.

III. The minutes of the preceding Day shall be read, and, if necessary, may be corrected.

IV. Every Petition, Memorial, Letter, or other Thing of the like Kind, read in the Convention, shall be deemed as lying on the Table for further Consideration, unless any special Order be moved thereon.

V. A motion made and seconded, shall be repeated by the President; a Motion shall be reduced to writing if the President or any two Members require it; a Motion may be withdrawn by the Member making it before any Decision is had thereon.

VI. A Motion of Postponement or Amendment shall always be in Order, and considered as the previous Question.

VII. If a Question under Debate contains several Points, any Member may have it divided.

VIII.

VIII. No Member speaking shall be interrupted but by a Call to Order by the President, or by a Member through the President.

IX. No Member shall be referred to in Debate by Name.

X. Every Member, when he chooses to speak, shall rise and address the President; when two Members chance to rise at the same Time, the President shall name the Person who is to speak first.

XI. Every Member shall conduct himself with Decency and Decorum. The President himself, or by Request, may call to Order any Member who shall transgress the Rules; if the Disorder be continued or repeated, the President may refer to him by Name; the Convention may then examine and censure the Member's Conduct, he being allowed to extenuate or justify himself.

XII. Every Member shall be in his Place at the Time the Convention stands adjourned to, or within Half an Hour thereafter.

XIII. No Member shall speak more than once in a Debate, until every Member who chooses shall have spoken on the same.

XIV. The Yeas and Nays may be called and entered on the Minutes, when any two Members require it.

XV. A Motion to adjourn may be made at any Time, and shall always be in Order, and the Question thereon shall be put without any Debate.

On Motion,

*Resolved*, That the Act of the Legislature of this State, passed at Trenton, November 1, 1787, giving Authority for the People thereof, by their Delegates, to meet in Convention, to deliberate upon, and, if approved of by them, to ratify the Constitution for the United States, proposed by the General Convention held at Philadelphia, be read; whereupon the same was read by the Secretary.

On Motion,

*Resolved*, That the Constitution for the United States of America, agreed to in Convention at Philadelphia, September 17, 1787, be also read; whereupon the same was read accordingly.

On

On Motion,

*Resolved*, That the usual Time of the Meeting of the Convention be at ten o'Clock in the Morning, and of Adjournment at three o'Clock in the Afternoon.

On Motion,

*Resolved*, That the Federal Constitution be now read by Sections, and, upon each Section's being read, every Member do make his Observations on the same, if any he hath to make; that, after debating on such Section, the Question be taken, whether any further Debate be thereon had; and, if the said Question be determined in the Negative, that the Convention do then proceed in like manner to the next Section, until the Whole be gone through; upon which the general Question shall be taken, Whether this Convention, in the Name and in Behalf of the People of this State, do ratify and confirm the said Constitution.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Friday, December* 14, 1787.

The Convention met—Present as before.

On Motion,

*Ordered*, That the Doors of this Convention be open during the Sitting.

The Convention, in pursuance of their Resolution of Yesterday, proceeded to consider and deliberate upon the proposed Federal Constitution by Sections.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Saturday, December* 15, 1787.

The Convention met—Present as before.

The Convention proceeded further to consider and deliberate upon the before mentioned Constitution by Sections.

The Convention adjourned to meet again on Monday Morning next at ten o'Clock.

## *Monday, December* 17, 1787.

The Convention met—Present as before.

A Petition from Messrs. Quequelle and Wilson, Printers in Trenton, praying to be appointed by the Convention to print their Proceedings, was presented and read.

The Convention proceeded further to consider and deliberate upon the said Constitution by Sections; and having gone through the same, on Motion,

*Resolved*, That the said Constitution be again read To-morrow Morning.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Tuesday, December* 18, 1787.

The Convention met—Present as before.

Agreeably to the Resolution of Yesterday, the Federal Constitution was again read; and, after debating thereon, the general Question, viz. Whether this Convention, in the Name and in Behalf of the People of this State, do ratify and confirm the said Constitutiou, was put; which was determined in the Affirmative unanimously.

On Motion,

*Resolved*, That Mr. Brearley, Mr. Witherspoon, Mr. Neilson, Mr. Beatty and Mr. Hunter, be a Committee for drawing up the Form of the Ratification of the proposed Constitution, on the Part of this State.

On Motion,

*Resolved*, That Mr. Bowen and Mr. Whillden be a Committee for the Purpose of reporting a State of the Expenses attending the Business of this Convention.

The Convention adjourned to six o'Clock this Evening.

The

The Convention met—Present as before.

Mr. Brearley, from the Committee appointed for drawing up the Form of the Ratification, reported, that they had, agreeably to the Order of the Convention, drawn up a Form, which, being read and amended, was agreed to as follows:

IN CONVENTION of the STATE OF NEW-JERSEY.

WHEREAS a Convention of Delegates from the following States, viz. New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, met at Philadelphia, for the Purpose of deliberating on and forming a Constitution for the United States of America, finished their Session on the seventeenth Day of September last, and reported to Congress the Form which they had agreed upon, in the Words following, viz.

'WE, the People of the United States, in order to form a more perfect 'Union, establish Justice, ensure domestick Tranquility, provide 'for the common Defence, promote the general Welfare, and secure the 'Blessings of Liberty to ourselves and our Posterity, do ordain and esta-'blish this Constitution for the United States of America.

'ARTICLE I.

'*Sect.* 1. All legislative Powers herein granted shall be vested in a Con-'gress of the United States, which shall consist of a Senate and House of 'Representatives.

'*Sect.* 2. The House of Representatives shall be composed of Mem-'bers chosen every second Year by the People of the several States, and 'the Electors in each State shall have the Qualifications requisite for Elec-'tors of the most numerous Branch of the State Legislature.

'No Person shall be a Representative who shall not have attained to the 'Age of twenty-five Years, and been seven Years a Citizen of the United 'States,

'States, and who shall not, when elected, be an Inhabitant of that State 'in which he shall be chosen.

'Representatives and direct Taxes shall be apportioned among the se- 'veral States which may be included within this Union, according to their 'respective Numbers, which shall be determined by adding to the whole 'Number of free Persons, including those bound to Service for a Term 'of Years, and excluding Indians not taxed, three-fifths of all other 'Persons. The actual Enumeration shall be made within three Years 'after the first Meeting of the Congress of the United States, and with- 'in every subsequent Term of ten Years, in such Manner as they shall 'by Law direct. The Number of Representatives shall not exceed one for 'every Thirty Thousand, but each State shall have at least one Representa- 'tive; and until such Enumeration shall be made, the State of New- 'Hampshire shall be entitled to choose three, Massachusetts eight, Rhode- 'Island and Providence Plantations one, Connecticut five, New-York six, 'New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Vir- 'ginia ten, North-Carolina five, South-Carolina five, and Georgia three.

'When Vacancies happen in the Representation from any State, the 'Executive Authority thereof shall issue Writs of Election to fill such Va- 'cancies.

'The House of Representatives shall choose their Speaker and other 'Officers; and shall have the sole Power of Impeachment.

'*Sect.* 3. The Senate of the United States shall be composed of two 'Senators from each State, chosen by the Legislature thereof, for six Years; 'and each Senator shall have one Vote.

'Immediately after they shall be assembled in Consequecce of the first 'Election, they shall be divided as equally as may be into three Classes. 'The Seats of the Senators of the first Class shall be vacated at the Expi- 'ration of the second Year, of the second Class at the Expiration of the 'fourth Year, and of the third Class at the Expiration of the sixth Year,

'so

'so that one Third may be chosen every second Year; and if Vacancies 'happen by Resignation, or otherwise, during the Recess of the Legisla- 'ture of any State, the Executive thereof may make temporary Appoint- 'ments until the next Meeting of the Legislature, which shall then fill 'such Vacancies.

'No Person shall be a Senator who shall not have attained to the Age of 'thirty Years, and been nine Years a Citizen of the United States, and 'who shall not, when elected, be an Inhabitant of that State for which he 'shall be chosen.

'The Vice-President of the United States shall be President of the Se- 'nate, but shall have no Vote, unless they be equally divided.

'The Senate shall choose their other Officers, and also a President pro- 'tempore, in the Absence of the Vice-President, or when he shall Exer- 'cise the Office of President of the United States.

'The Senate shall have the sole Power to try all Impeachments. When 'sitting for that Purpose, they shall be on Oath or Affirmation. When 'the President of the United States is tried, the Chief-Justice shall pre- 'side: And no Person shall be convicted without the Concurrence of two 'Thirds of the Members present.

'Judgment in Cases of Impeachment shall not extend further than to 'Removal from Office, and Disqualification to hold and enjoy any Office 'of Honour, Trust or Profit under the United States; but the Party con- 'victed shall nevertheless be liable and subject to Indictment, Trial, Judg- 'ment and Punishment, according to Law.

'*Sect.* 4. The Times, Places and Manner of holding Elections for 'Senators and Representatives, shall be prescribed in each State by the Le- 'gislature thereof; but the Congress may at any Time by Law make or 'alter such Regulations, except as to the Places of choosing Senators.

'The Congress shall assemble at least once in every Year, and such 'Meeting shall be on the first Monday in December, unless they shall by 'Law appoint a different Day. '*Sect.*

'*Sect.* 5. Each House shall be the Judge of the Elections, Returns and 'Qualifications of its own Members, and a Majority of each shall consti- 'tute a Quorum to do Business; but a smaller Number may adjourn from 'Day to Day, and may be authorized to compel the Attendance of absent 'Members, in such Manner, and under such Penalties as each House may 'provide.

'Each House may determine the Rules of its Proceedings, punish its 'Members for disorderly Behaviour, and, with the Concurrence of two 'Thirds, expel a Member.

'Each House shall keep a Journal of its Proceedings, and from Time to 'Time publish the same, excepting such Parts as may in their Judgment 'require Secrecy; and the Yeas and Nays of the Members of either House 'on any Question shall, at the Desire of one Fifth of those present, be 'entered on the Journal.

'Neither House, during the Session of Congress, shall, without the Con- 'sent of the other, adjourn for more than three Days, nor to any other 'Place than that in which the two Houses shall be sitting.

'*Sect.* 6. The Senators and Representatives shall receive a Compensati- 'on for their Services, to be ascertained by Law, and paid out of the 'Treasury of the United States. They shall in all Cases, except Treason, 'Felony and Breach of the Peace, be privileged from Arrest during their 'Attendance at the Session of their respective Houses, and in going to 'and returning from the same; and for any Speech or Debate in either 'House, they shall not be questioned in any other Place.

'No Senator or Representative shall, during the time for which he was 'elected, be appointed to any civil Office under the Authority of the 'United States, which shall have been created, or the Emoluments where- 'of shall have been encreased during such Time; and no Person holding 'any Office under the United States, shall be a Member of either House 'during his Continuance in Office.

'*Sect.*

' *Sect.* 7. All Bills for raising Revenue shall originate in the House of ' Representatives; but the Senate may propose or concur with Amend- ' ments as on other Bills.

' Every Bill which shall have passed the House of Representatives and ' the Senate, shall, before it become a Law, be presented to the President of ' the United States; if he approve he shall sign it, but if not he shall re- ' turn it, with his Objections to that House in which it shall have originat- ' ed, who shall enter the Objections at Large on their Journal, and pro- ' ceed to reconsider it. If after such Reconsideration two Thirds of that ' House shall agree to pass the Bill, it shall be sent, together with the Ob- ' jections, to the other House by which it shall likewise be reconsidered, ' and, if approved by two Thirds of that House, it shall become a Law. ' But in all such Cases the Votes of both Houses shall be determined by ' Yeas and Nays, and the Names of the Persons voting for and against the ' Bill shall be entered on the Journal of each House respectively. If any ' Bill shall not be returned by the President within ten Days (Sundays ex- ' cepted) after it shall have been presented to him, the same shall be a Law, ' in like Manner as if he had signed it, unless the Congress by their Ad- ' journment prevent its Return, in which Case it shall not be a Law.

' Every Order, Resolution, or Vote, to which the Concurrence of the ' Senate and House of Representatives may be necessary (except on a Ques- ' tion of Adjournment) shall be presented to the President of the United ' States; and, before the same shall take Effect, shall be approved by him, ' or, being disapproved by him, shall be re-passed by two Thirds of the ' Senate and House of Representatives, according to the Rules and Limi- ' tations prescribed in the Case of a Bill.

' *Sect.* 8. The Congress shall have Power

' To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts ' and provide for the common Defence and general Welfare of the United ' States; but all Duties, Imposts and Excises, shall be uniform throughout ' the United States;

' To

'To borrow Money on the Credit of the United States;

'To regulate Commerce with foreign Nations, and among the several 'States, and with the Indian Tribes;

'To establish an uniform Rule of Naturalization, and uniform Laws on 'the Subject of Bankruptcies throughout the United States;

'To coin Money, regulate the Value thereof and of foreign Coin, and 'fix the Standard of Weights and Measures;

'To provide for the Punishment of counterfeiting the Securities and 'current Coin of the United States;

'To establish Post Offices and Post Roads;

'To promote the Progress of Science and useful Arts, by securing, for 'limited Times, to Authors and Inventors, the exclusive Right to their re- 'spective Writings and Discoveries;

'To constitute Tribunals inferior to the Supreme Court;

'To define and punish Piracies and Felonies committed on the high 'Seas, and Offences against the Law of Nations;

'To declare War, grant Letters of Marque and Reprisal, and make 'Rules concerning Captures on Land and Water;

'To raise and support Armies—but no Appropriation of Money to that 'Use shall be for a longer Term than two Years;

'To provide and maintain a Navy;

'To make Rules for the Government and Regulation of the Land and 'Naval Forces;

'To provide for calling forth the Militia to execute the Laws of the 'Union, suppress Insurrections, and repel Invasions;

'To provide for Organizing, Arming and Disciplining, the Militia, and 'for governing such Part of them as may be employed in the Service of 'the United States, reserving to the States respectively the Appointment of 'the Officers, and the Authority of Training the Militia according to the 'Discipline prescribed by Congress:

'To exercise exclusive Legislation in all Cases whatsoever, over such

'District

'District (not exceeding ten Miles Square) as may, by Cession of particu-
'lar States, and the Acceptance of Congress, become the Seat of the Go-
'vernment of the United States, and to exercise like Authority over all
'Places purchased by the Consent of the Legislature of the State in which
'the same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-
'Yards, and other needful Buildings;—And

'To make all Laws which shall be necessary and proper for carrying
'into Execution the foregoing Powers, and all other Powers vested by this
'Constitution in the Government of the United States, or in any Depart-
'ment or Officer thereof.

'*Sect.* 9. The Migration or Importation of such Persons as any of the
'States now existing shall think proper to admit, shall not be prohibited
'by the Congress prior to the Year One Thousand Eight Hundred and
'Eight, but a Tax or Duty may be imposed on such Importation, not
'exceeding Ten Dollars for each Person.

'The Privilege of the Writ of Habeas Corpus shall not be suspended,
'unless when in Cases of Rebellion or Invasion the publick Safety may
'require it.

'No Bill of Attainder, or ex post facto Law shall be passed.

'No Capitation, or other direct, Tax, shall be laid, unless in Proporti-
'on to the Census or Enumeration herein before directed to be taken.

'No Tax or Duty shall be laid on Articles exported from any State.
'No Preference shall be given by any Regulation of Commerce or Re-
'venue to the Ports of one State over those of another; nor shall Vessels
'bound to, or from, one State, be obliged to enter, clear, or pay Duties
'in another.

'No Money shall be drawn from the Treasury, but in Consequence of
'Appropriations made by Law; and a regular Statement and Account of
'the Receipts and Expenditures of all publick Money shall be published
'from Time to Time.

'No Title of Nobility shall be granted by the United States:—And no 'Person holding any Office of Profit or Trust under them, shall, without 'the Consent of the Congress, accept of any Present, Emolument, Office 'or Title, of any Kind whatever, from any King, Prince or foreign State.

'*Sect.* 10. No State shall enter into any Treaty, Alliance, or Confede- 'ration; grant Letters of Marque and Reprisal; coin Money; emit Bills 'of Credit; make any Thing but Gold and Silver Coin a Tender in Pay- 'ment of Debts; pass any Bill of Attainder, ex post facto Law, or Law 'impairing the Obligation of Contracts, or grant any Title of Nobility.

'No State shall, without the Consent of the Congress, lay any Imposts 'or Duties on Imports or Exports, except what may be absolutely necessary 'for executing its Inspection Laws; and the net Produce of all Duties and 'Imposts, laid by any State on Imports or Exports, shall be for the Use of 'the Treasury of the United States; and all such Laws shall be subject to 'the Revision and Control of the Congress. No State shall, without the 'Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships 'of War, in Time of Peace, enter into any Agreement or Compact with 'another State, or with a foreign Power, or engage in War, unless actual- 'ly invaded, or in such imminent Danger as will not admit of Delay.

## 'ARTICLE II.

'*Sect.* 1. The Executive Power shall be vested in a President of the 'United States of America. He shall hold his Office during the Term of 'four Years, and, together with the Vice-President, chosen for the same 'Term, be elected as follows:

'Each State shall appoint, in such Manner as the Legislature thereof 'may direct, a Number of Electors, equal to the whole Number of Sena- 'tors and Representatives to which the State may be entitled in the Con- 'gress; but no Senator or Representative, or Person holding an Office of 'Trust or Profit under the United States, shall be appointed an Elector.

'The Electors shall meet in their respective States, and vote by Ballot

'for

' for two Persons, of whom one at least shall not be an Inhabitant of the ' same State with themselves. And they shall make a List of all the Per- ' sons voted for, and of the Number of Votes for each; which List they shall ' sign and certify, and transmit sealed to the Seat of the Government of ' the United States, directed to the President of the Senate. The President ' of the Senate shall, in the Presence of the Senate and House of Repre- ' sentatives, open all the Certificates, and the Votes shall then be counted. ' The Person having the greatest Number of Votes shall be the President, ' if such Number be a majority of the whole Number of Electors ap ' pointed, and if there be more than one who have such Majority, and ' have an equal Number of Votes, then the House of Representatives shall ' immediately choose by Ballot one of them for President; and if no ' Person have a Majority, then from the five highest on the List the said ' House shall in like Manner choose the President. But in choosing the ' President, the Votes shall be taken by States, the Representation from ' each State having one vote; a Quorum for this Purpose shall consist of ' a Member or Members from two Thirds of the States, and a Majority ' of all the States shall be necessary to a Choice. In every Case, after the ' Choice of the President, the Person having the greatest Number of Votes ' of the Electors shall be the Vice President. But if there should remain ' two or more who have equal Votes, the Senate shall choose from them ' by Ballot the Vice-President.

' The Congress may determine the Time of choosing the Electors, and ' the Day on which they shall give their Votes; which Day shall be the ' same throughout the United States.

' No Person except a natural-born Citizen, or a Citizen of the United ' States at the Time of the Adoption of this Constitution, shall be eligible ' to the Office of President; neither shall any Person be eligible to that ' Office who shall not have attained to the Age of thirty-five Years, and ' been fourteen Years a Resident within the United States.

' In case of the Removal of the President from Office, or of his Death,

' Resignation,

' Resignation, or Inability to discharge the Powers and Duties of the said ' Office, the same shall devolve on the Vice-President, and the Congress ' may by Law provide for the Case of Removal, Death, Resignation or ' Inability, both of the President and Vice-President, declaring what Offi- ' cer shall then act as President, and such Officer shall act accordingly ' until the Disability be removed, or a President shall be elected.

' The President shall, at stated Times, receive for his Services, a Com- ' pensation, which shall neither be encreased nor diminished during the ' Period for which he shall have been elected, and he shall not receive ' within that Period any other Emolument from the United States, or ' any of them.

' Before he enter on the Execution of his Office, he shall take the fol- ' lowing Oath or Affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the Of- " fice of President of the United States, and will, to the best of my Abi- " lity, preserve, protect and defend the Constitution of the United States."

' *Sect.* 2. The President shall be Commander in Chief of the Army ' and Navy of the United States, and of the Militia of the several States, ' when called into the actual Service of the United States; he may re- ' quire the Opinion, in Writing, of the principal Officer in each of the ' executive Departments, upon any Subject relating to the Duties of their ' respective Offices; and he shall have Power to grant Reprieves and Pardons ' for Offences against the United States, except in Cases of Impeachment.

' He shall have Power, by and with the Advice and Consent of the Se- ' nate, to make Treaties, provided two Thirds of the Senators present con- ' cur; and he shall nominate, and by and with the Advice and Consent of ' the Senate, shall appoint Ambassadors, other publick Ministers and Con- ' suls, Judges of the Supreme Court, and all other Officers of the United ' States, whose Appointments are not herein otherwise provided for, and ' which shall be established by Law. But the Congress may by Law vest

' the

' the Appointment of such inferior Officers, as they think proper, in the ' President alone, in the Courts of Law, or in the Heads of Departments.

' The President shall have Power to fill up all Vacancies that may hap- ' pen during the Recess of the Senate, by granting Commissions which ' shall expire at the End of their next Session.

' *Sect.* 3. He shall from Time to Time give to the Congress Informati- ' on of the State of the Union, and recommend to their Consideration such ' Measures as he shall judge necessary and expedient; he may, on extraor- ' dinary Occasions, convene both Houses, or either of them, and in case ' of Disagreement between them, with Respect to the Time of Adjourn- ' ment, he may adjourn them to such Time as he shall think proper; he ' shall receive Ambassadors and other publick Ministers; he shall take ' Care that the Laws be faithfully executed, and shall commission all the ' Officers of the United States.

' *Sect.* 4. The President, Vice-President, and all civil Officers of the ' United States, shall be removed from Office on Impeachment for, and ' Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

## ' ARTICLE III.

' *Sect.* 1. The judicial Power of the United States shall be vested in ' one Supreme Court, and in such Inferior Courts as the Congress may ' from Time to Time ordain and establish. The Judges, both of the Su- ' preme and Inferior Courts, shall hold their Offices during good Behavi- ' our, and shall, at stated Times, receive for their Services a Compensation, ' which shall not be diminished during their Continuance in Office.

' *Sect.* 2. The judicial Power shall extend to all Cases, in Law and ' Equity, arising under this Constitution, the Laws of the United States, , and Treaties made, or which shall be made, under their Authority; to

' all

' all Cases affecting Ambassadors, other publick Ministers and Consuls; to ' all Cases of Admiralty and Maritime Jurisdiction; to Controversies to ' which the United States shall be a Party; to Controversies between two ' or more States, between a State and Citizens of another State, between ' Citizens of different States, between Citizens of the same State claim- ' ing Lands under Grants of different States, and between a State, or the ' Citizens thereof, and foreign States, Citizens or Subjects.

' In all Cases affecting Ambassadors, other publick Ministers and Consuls, ' and those in which a State shall be Party, the Supreme Court shall have ' original Jurisdiction. In all the other Cases before mentioned, the Su- ' preme Court shall have appellate Jurisdiction, both as to Law and Fact, ' with such Exceptions, and under such Regulations as the Congress shall ' make.

' The Trial of all Crimes, except in Cases of Impeachment, shall be by ' Jury; and such Trial shall be held in the State where the said Crimes ' shall have been committed; but when not committed within any State, ' the Trial shall be at such Place or Places as the Congress may by Law ' have directed.

' *Sect.* 3. Treason against the United States, shall consist only in levy- ' ing War against them, or in adhering to their Enemies, giving them Aid ' and Comfort. No Person shall be convicted of Treason unless on the ' Testimony of two Witnesses to the same overt Act, or on Confession in ' open Court.

' The Congress shall have Power to declare the Punishment of Treason, ' but no Attainder of Treason shall work Corruption of Blood, or Forfei- ' ture except during the Life of the Person attainted.

## ' ARTICLE IV.

' *Sect.* 1. Full Faith and Credit shall be given in each State to the ' publick Acts, Records, and judicial Proceedings of every other State. And

' the

' the Congress may by general Laws prescribe the Manner in which such ' Acts, Records and Proceedings shall be proved, and the Effect thereof.

' *Sect.* 2. The Citizens of each State shall be entitled to all Privileges ' and Immunities of Citizens in the several States.

' A Person charged in any State with Treason, Felony or other Crime, ' who shall flee from Justice, and be found in another State, shall, on Demand of the Executive Authority of the State from which he fled, be ' delivered up, to be removed to the State having Jurisdiction of the ' Crime.

' No Person held to Service or Labour in one State, under the Laws ' thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be ' delivered up on Claim of the Party to whom such Service or Labour ' may be due.

' *Sect.* 3. New States may be admitted by the Congress into this Union; ' but no new State shall be formed or erected within the Jurisdiction of ' any other State; nor any State be formed by the Junction of two or ' more States, or Parts of States, without the Consent of the Legislatures ' of the States concerned as well as of the Congress.

' The Congress shall have Power to dispose of and make all needful ' Rules and Regulations respecting the Territory or other Property belonging to the United States; and Nothing in this Constitution shall be so ' construed as to prejudice any Claims of the United States, or of any ' particular State.

' *Sect.* 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them ' against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestick ' Violence.

' ARTICLE

'ARTICLE V.

'The Congress, whenever two Thirds of both Houses shall deem it necessary, shall propose Amendments to this Consititution, or, on the Application of the Legislatures of two Thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three Fourths of the several States, or by Conventions in three Fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress: Provided, that no Amendment, which may be made prior to the Year One Thousand Eight Hundred and Eight, shall in any Manner affect the first and fourth Clauses in the ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

'ARTICLE VI.

'All Debts contracted, and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States; shall be the supreme Law of the Land: And the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding.

'The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all Executive and Judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or publick Trust under the United States.

'ARTICLE

'ARTICLE VII.

'The Ratification of the Conventions of nine States shall be sufficient 'for the Establishment of this Constitution between the States so ratify- 'ing the same.'

AND WHEREAS Congress, on the twenty-eighth Day of September last, unanimously did Resolve, 'That the said Report, with the Resolutions and 'Letter accompanying the same, be transmitted to the several Legislatures, 'in order to be submitted to a Convention of Delegates, chosen in each 'State by the People thereof, in Conformity to the Resolves of the Con- 'vention, made and provided in that Case.'

AND WHEREAS the Legislature of this State did, on the twenty-ninth Day of October last, Resolve in the Words following, viz.

'*Resolved unanimously*, That it be recommended to such of the Inhabi- 'tants of this State as are entitled to vote for Representatives in General 'Assembly, to meet in their respective Counties on the fourth Tuesday in 'November next, at the several Places fixed by Law for holding the an- 'nual Elections, to choose three suitable Persons to serve as Delegates from 'each County in a State Convention, for the Purposes herein before men- 'tioned; and that the same be conducted agreeably to the Mode, and 'conformably with the Rules and Regulations prescribed for conducting 'such Elections.

'*Resolved unanimously*, That the Persons so elected to serve in State Con- 'vention, do assemble and meet together on the second Tuesday in Decem- 'ber next, at Trenton, in the County of Hunterdon, then and there to 'take into Consideration the aforesaid Constitution; and if approved of 'by them, finally to ratify the same in Behalf and on the Part of this 'State; and make Report thereof to the United States in Congress assem- 'bled, in Conformity with the Resolutions thereto annexed.

'*Resolved*, That the Sheriffs of the respective Counties of this State shall 'be, and they are hereby required to give as timely Notice as may be by 'Advertisements to the People of their Counties, of the Time, Place and 'Purpose of holding Elections as aforesaid.'

AND WHEREAS the Legislature of this State did also, on the first Day of November last, make and pass the following Act, viz.

'An ACT to authorize the People of this State to meet in Convention, 'deliberate upon, agree to, and ratify the Constitution of the United 'States, proposed by the late General Convention.

'BE it Enacted by the Council and General Assembly of this State, and 'it is hereby Enacted by the Authority of the same, that it shall and 'may be lawful for the People thereof, by their Delegates, to meet in 'Convention, to deliberate upon, and, if approved of by them, to ratify 'the Constitution for the United States, proposed by the General Conven-'tion, held at Philadelphia, and every Act, Matter and Clause therein con-'tained, conformably to the Resolutions of the Legislature, passed the 'twenty-ninth Day of October, Seventeen Hundred and Eighty-seven, 'any Law, Usage or Custom to the contrary in anywise notwithstanding.'

NOW BE IT KNOWN, That we, the Delegates of the State of New-Jersey, chosen by the People thereof, for the Purposes aforesaid, having maturely deliberated on and considered the aforesaid proposed Constitution, do hereby, for and on the Behalf of the People of the said State of New-Jersey, agree to, ratify and confirm the same, and every Part thereof.

Done in Convention, by the unanimous Consent of the Members present, this eighteenth Day of December, in the Year of our LORD One Thousand Seven Hundred and Eighty-seven, and of the Independence of the United States of America the twelfth. IN WITNESS whereof we have hereunto subscribed our Names.

On

On Motion,

*Resolved*, That the Secretary be directed to cause two Copies of the Federal Constitution, together with the Form of the Ratification, &c. as agreed to, engrossed on Parchment, in a neat and correct Manner, to be laid before the Convention To-morrow Morning, for the Purpose of Signature; one for the Congress of the United States, and the other to be deposited among the Archives of this State.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Wednesday, December* 19, 1787.

The Convention met—Present as before.

Mr. Whillden, from the Committee appointed for the Purpose of reporting a State of the Expences, &c. made their Report; which was ordered to lie on the Table for Consideration.

The Secretary, agreeably to the Order of Yesterday, laid before the Convention two Copies of the Federal Constitution, &c. together with the Form of the Ratification as agreed to, engrossed on Parchment, for the Purpose of Signature; whereupon the Members of Convention proceeded to subscribe their Names thereto, and the Secretary to attest the same, in the following Order:

JOHN STEVENS, President,
And Deputy from Hunterdon.

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| BERGEN, | JOHN FELL,<br>PETER ZABRISKIE,<br>CORNELIUS HENNION. |
| ESSEX, | JOHN CHETWOOD,<br>SAMUEL HAY,<br>DAVID CRANE. |
| MIDDLESEX, | JOHN NEILSON,<br>JOHN BEATTY,<br>BENJAMIN MANNING. |

MONMOUTH,

| | |
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| MONMOUTH, | Elisha Lawrence,<br>Samuel Breese,<br>William Crawford. |
| SOMERSET, | John Witherspoon,<br>Jacob R. Hardenbergh,<br>Frederick Frelinghuysen. |
| BURLINGTON, | Thomas Reynolds,<br>George Anderson,<br>Joshua M. Wallace. |
| GLOUCESTER, | Richard Howell,<br>Andrew Hunter,<br>Benjamin Whitall. |
| SALEM, | Whitten Cripps,<br>Edmund Wetherby. |
| CAPE-MAY, | Jesse Hand,<br>Jeremiah Eldredge,<br>Matthew Whillden. |
| HUNTERDON, | David Brearley,<br>Joshua Corshon. |
| MORRIS, | William Windes,<br>William Woodhull,<br>John J. Faesch. |
| CUMBERLAND, | David Potter,<br>Jonathan Bowen,<br>Eli Elmer. |
| SUSSEX, | Robert Ogden,<br>Thomas Anderson,<br>Robert Hoops. |

Attest, Samuel W. Stockton, Secretary.

*Resolved*, That the Convention go in Procession to the Courthouse this Day

Day at one o'Clock, and that the Secretary be directed to read the Ratification of the Constitution in the Hearing of the People, which was done accordingly.

*Resolved*, That the Ratification of the Federal Constitution as agreed to, and signed by this Convention, be delivered by the President of this Convention to the President of Congress in Congress assembled.

The Convention adjourned to six o'Clock this Evening.

The Convention met—Present as before.

*Resolved*, That the Secretary be directed to deliver the Duplicate of the Ratification of the Federal Constitution to the Governor of this State, for the Purpose of being lodged among the Archives of the State.

*Resolved*, That Mr. Brearley and Mr. G. Anderson be a Committee to revise and correct the Minutes of the Convention.

*Resolved*, That the Secretary transcribe the Minutes of this Convention, and deliver the same to the Speaker of the Assembly; that he also make a Copy to be delivered to the Printer of the State for Publication; and that seven hundred and fifty Copies of the said Minutes be printed, and delivered to the Members of the Convention, to be by them distributed among those Persons who are entitled to receive the Votes and Acts of the Legislature of this State.

The Convention adjourned till To-morrow Morning ten o'Clock.

## *Thursday, December* 20, 1787.

The Convention met—Present as before.

On Motion,

*Resolved unanimously*, That it is the Opinion of this Convention, that the State of New-Jersey should offer a Cession to Congress of a District, not exceeding ten Miles Square, for the Seat of the Government of the United States, over which they may exercise exclusive Legislation.

The

The Report of the Committee appointed for the Purpose of reporting a State of the Expences, &c. being again read and amended, was agreed to as follows:

THAT the State of New-Jersey is indebted to the several Persons herein named as follows, viz.

To Samuel-Witham Stockton, Esquire, Secretary to the Convention, the Sum of Fourteen Shillings per Day, for each Day he shall have attended, during the Sitting of the Convention, and the Sum of Four-pence per Sheet, reckoning ninety Words to the Sheet, for entering the Minutes of the Proceedings of the Convention fair in the Journals, and at the like Rate for a Copy thereof for the Printer; and that he produce a Certificate thereof, signed by the President of the Convention, to the Legislature at their next Sitting, for Allowance.

To Ditto, for parchment and other Stationary, the Sum of Three Pounds Twelve Shillings.

To Ditto, for Cash paid to Clerks for making two fair Copies of the Federal Constitution, with the Act and Resolution of the Legislature, &c. and the Ratification of the said Constitution, at Six Dollars each, the Sum of Four Pounds Ten Shillings.

To Francis Witt, for the Use of a Room and for Firewood during the Sitting of the Convention, the Sum of Four Pounds Two Shillings.

To William Rogers, for his Attendance as Doorkeeper to the Convention, the Sum of Two Pounds Ten Shillings.

MATTHEW WHILLDEN.

On Motion,

*Resolved unanimously*, That the Thanks of this Convention be presented to the President, for his able and faithful Discharge of the Duties of the Chair.

On Motion,

*Resolved unanimously*, That the President be requested to present the Thanks

Thanks of this Convention to the Rev. Mr. Armstrong, for his Attendance and Services during their Sitting.

On Motion,

*Resolved*, That this Convention do now dissolve; whereupon the President dissolved the Convention accordingly.

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